

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**October 17, 2005**

DIVISION TWO

B180508 People (Not for Publication)  
v.  
Finney

The Court:

The order under review is affirmed.

Boren, P.J., Doi Todd, J., Ashmann-Gerst, J.

B179898 People (Not for Publication)  
v.  
Simmons

The judgment is affirmed.

Boren, P.J.

We concur:   Doi Todd, J.  
                   Ashmann-Gerst, J.

[illegible]

The judgment is affirmed.

Boren, P.J.

We concur:   Doi Todd, J.  
                   Ashmann-Gerst, J.

October 17, 2005 (Continued)

## DIVISION TWO (Continued)

B179178 People (Not for Publication)  
v.  
Escamilla

The judgment is affirmed.

Boren, P.J.

We concur:   Doi Todd, J.  
                   Ashmann-Gerst, J.

B178780      Gottlieb et al.                      (Not for Publication)  
v.  
The Oaks of Calabasas Homeowners Association et al.

The trial court's order denying appellants' application for preliminary injunction is affirmed. Respondents shall receive costs on appeal.

Boren, P.J.

We concur:   Doi Todd, J.  
                       Ashmann-Gerst, J.

B177189 Kiperman (Not for Publication)  
v.  
Klenshetyn

The judgment (order under review) is reversed. Appellant Kiperman is entitled to costs on appeal.

Boren, P.J.

We concur:   Doi Todd, J.  
                   Ashmann-Gerst, J.

DIVISION TWO (Continued)

B177711      Thurman Los Angeles, LLC      (Not for Publication)

v.

City of Los Angeles, Los Angeles Housing Department  
Rent Stabilization Division  
El Komite De La Esperanza

The judgment is modified by striking from it those portions that direct the City of treat as capital improvement costs for rent adjustment purposes Thurman's costs for exterior painting and landscaping. In all other respects, the judgment is affirmed. Each party to bear its own costs on appeal.

Boren, P.J.

We concur:    Doi Todd, J.  
                    Ashmann-Gerst, J.

B170506      Axelrod      (Not for Publication)

v.

Larson

The judgment is modified by increasing the amount of money awarded to husband from \$101,360.50 to \$195,200. In all other respects, the judgment is affirmed. Husband is entitled to costs on appeal.

Boren, P.J.

We concur:    Doi Todd, J.  
                    Ashmann-Gerst, J.

B177476      People      (Not for Publication)

v.

Blackwell

The judgment is affirmed.

Doi Todd, J.

We concur:    Boren, P.J.  
                    Ashmann-Gerst, J.

## DIVISION TWO (Continued)

B165302 People (Not for Publication)  
v.  
Washington

The judgment is affirmed.

Boren, P.J.

We concur:   Doi Todd, J.  
                   Ashmann-Gerst, J.

DIVISION FOUR

B181516 International Furniture Industries, Inc. (Not for Publication)  
v.  
COA, Inc.

We affirm the orders of the trial court denying the petition to compel arbitration and motion for stay of proceedings. We deny IFI's request for sanctions. Costs on appeal are awarded to IFI.

Hastings, J.

We concur: Epstein, P.J.  
Curry, J.

B180839      Farmers Brothers Coffee      (Certified for Publication)  
v.  
Workers Compensation Appeals Board  
Rafael Ruiz, Respondent

The Board's order denying reconsideration is affirmed.

Hastings, J.

We concur: Epstein, P.J.  
Curry, J.

## DIVISION FOUR (Continued)

[illegible]

The judgment denying the withdrawal of the no contest plea to driving while under the influence of alcohol or drugs is affirmed. The appeal from the order denying her motion to withdraw her guilty plea to possession of narcotics is dismissed. Appellant's related request that we treat her purported appeal from denial of this motion as a petition for writ review is denied.

Epstein, P.J.

We concur: Hastings, J.  
Willhite, J.

B176718      Talmadge et al.  
v.  
McClain

Filed order denying petition for rehearing.

## DIVISION FIVE

B178012 People (Not for Publication)  
v.  
James Jones

The judgment is affirmed.

Turner, P.J.

We concur:   Armstrong, J.  
                      Mosk, J.

DIVISION FIVE (Continued)

B181708      Los Angeles County, D.C.S.      (Not for Publication)  
v.  
Yolanda V.  
Isaiah H.

The order terminating jurisdiction over Isaiah is reversed, and notice given pursuant to the Indian Child Welfare Act. If, after receiving notice, no tribe intervenes, the court shall reinstate its order terminating jurisdiction. The order transferring Gabriel's case to San Bernardino is affirmed. Counsel for appellant and counsel for respondent are directed to bring the Indian Child Welfare Act problems, and this opinion of the San Bernardino dependency court and social services agency, if no one has already done so.

Armstrong, J.

We concur:    Turner, P.J.  
Mosk, J.

B178695      Mark Lueker      (Not for Publication)  
v.  
Ernesto Bues et al

The judgment is affirmed. Respondent(s) to recover costs.

Armstrong, J.

We concur:    Turner, P.J.  
Kriegler, J.

B178609      Malak Parvizia      (Not for Publication)  
v.  
Cyrus Parvizia et al

The judgment is affirmed. Respondent(s) to recover costs.

Armstrong, J.

We concur:    Turner, P.J.  
Kriegler, J.

October 17, 2005 (Continued)

## DIVISION FIVE (Continued)

B178504 People (Not for Publication)  
v.  
Fausto Sepulveda

The judgment is affirmed.

Armstrong, Acting P.J.

We concur: Mosk, J.  
Kriegler, J.

B179206      William Johnson      (Certified for Publication)  
v.  
American Standard

The judgment is affirmed. Respondent(s) to recover costs.

Armstrong, J.

We concur:   Turner, P.J.  
                          Kriegler, J.

B176288      Ed Michaels      (Not for Publication)  
v.  
Hartford Casualty Insurance Company

The judgment is affirmed. Respondent(s) to recover costs.

Kriegler, J.

We concur:   Turner, P.J.  
                     Mosk, J.

B173499      Booker Bailey  
v.  
Fatburger

Filed order denying petition for rehearing.

DIVISION FIVE (Continued)

B178731      Jeffrey Christiansen                      (Not for Publication)  
                 v.  
                 Los Angeles County Metropolitan Transportation Authority

The judgment is affirmed. Respondent(s) to recover costs.

Mosk, J.

We concur:    Armstrong, Acting P.J.  
                 Kriegler, J.

B179976      People                                              (Not for Publication)  
                 v.  
                 Jose Sanchez

The judgment is affirmed.

Kriegler, J.

We concur:    Armstrong, Acting P.J.  
                 Mosk, J.

DIVISION SIX

B178020      People                                              (Not for Publication)  
                 v.  
                 Arellanes

The judgment is affirmed.

Yegan, Acting P.J.

We concur:    Coffee, J.  
                 Perren, J.



October 17, 2005 (Continued)

## DIVISION SIX (Continued)

B182177 People (Not for Publication)  
v.  
Miranda

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.  
Perren, J.

B176465      Harmon                      (Not for Publication)  
v.  
Harmon

The judgment is affirmed. The parties shall bear their own costs on appeal.

Yegan, Acting P.J.

We concur: Coffee, J.  
Perren, J.

## DIVISION SEVEN

Court convened at 9:00 a.m.

Present: Perluss, P.J., Johnson, J., Woods, J., Zelon, J. and Eva McClintock, Deputy Clerk.

B175034      Castro  
v.  
Spiniello Companies

Merits:  
Argued by Gregory Stannard for appellant and by Anthony Whipple for respondent. Cause submitted.

DIVISION SEVEN (Continued)

B175866     People  
              v.  
              Hernandez

Merits:  
Argued by Neil Rosenbaum for appellant and by Adrian Tigmo, Deputy Attorney General for respondent. Cause submitted.

B181884     Connella  
              v.  
              Golden

Merits:  
Argued by Roberta Murawski for appellant and by Stephen McLeod for respondent. Cause submitted.

B174202     Multi-Culture Marketing  
              v.  
              Qian et al.,

Merits:  
Argued by Paul Buchberg for appellants and by Steven Scandura for respondent. Cause submitted.

B176291     Turmeko Properties  
              v.  
              Pipkins

Merits:  
Argued by Michael Melton for appellant and by Houston Touceda for respondent. Cause submitted.

DIVISION SEVEN (Continued)

B177469     Sandoval et al.,  
              v.  
              Universal City Studios

Merits:

Argued by Giuseppe Loche for appellants and by Michael Goodman for respondent. Cause submitted.

B177913     McVeigh  
              v.  
              California Alcoholic Beverage Control

Merits:

Argued by Mark Beckington, Deputy Attorney General for appellant and by John Hachmeister for respondent. Cause submitted.

B174017     Parkview Villas Association  
              v.  
              State Farm

Merits:

Argued by Richard Kellner for appellant and by James Robie for respondent and by Harry Chamberlain for Amicus Curiae in support of respondent. Cause submitted.

Court recessed at 12:04 p.m.

Court reconvened at 1:30 p.m.

Present: Perluss, P.J., Johnson, J., Woods, J., Zelon, J. and Eva McClintock, Deputy Clerk.

DIVISION SEVEN (Continued)

B180318      International Norcent  
                 v.  
                 Chew

Merits:

Argued by Paul Chew appellant in propria persona and by Mark Hartzler for respondent. Cause submitted.

B181642      Ballaradares et al.,  
                 v.  
                 State of California

Merits:

Argued by Michael Rubin for appellants and by Angela Sierra, Deputy Attorney General for respondent. Cause submitted.

B178744      Greyhound Lines  
                 v.  
                 City of Los Angeles

Merits:

Argued by Derek Jones for appellant and by Terry Macias, Deputy City Attorney for respondent. Cause submitted.

B178750      Ackerman  
                 v.  
                 Franchise Tax Board

Merits:

Argued by Karen Growden for appellant and by Brian Wesley, Deputy Attorney General for respondent. Cause submitted.

DIVISION SEVEN (Continued)

B178160     Wayne  
              v.  
              Staples, Inc.

Merits:  
Argued by Henry Rossbacher for appellant and by Robert Fischer for  
respondent. Cause submitted.

B184120     Caliber Bodyworks et al.,  
              v.  
              Superior Court, Los Angeles County  
              (Herrera et al., r.p.i.)

Merits:  
Argued by Terri Keville for petitioners and by Anthony Luti for real parties  
in interest. Cause submitted.

Court adjourned.

B182292     People                                 (Not for Publication)  
              v.  
              Jones

The judgment is affirmed.

Zelon, J.

We concur: Perluss, P.J.  
              Woods, J.